

Exhibit A

Whitney Wallace Williams

From: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA)
<danielle.p.bianchi.civ@us.navy.mil>
Sent: Thursday, April 11, 2024 10:26 AM
To: Whitney Wallace Williams
Subject: RE: DON | Portal Question | CLJA

Whitney,

Thank you for your patience. Below answers to your questions are in red.

1. Do medical records need to be certified and complete? Or just *diagnostic* records for each claimed disease/condition?

The evidentiary standard for medical records substantiating a qualifying injury is set forth in Section I, Paragraph C of DOJ's public EO guidance. If claimants are not able to provide certified medical records, then we recommend submitting the records the claimant can provide at this time and we will work with the claimant or their counsel during the claims review process to identify any additional records required to substantiate their claim.

2. Can substantiation all be combined into one PDF and uploaded to an individual claim?

Yes for each individual claim. We are not accepting combined batches of substantiation since all claims are now individual claims in the portal (even if previously filed in a batch).

3. Can substantiation documents be bulk uploaded? For example, could we bulk upload all of our Authority to File authorizations? If so, by Claim ID, CLCU Batch # or Firm File #?

Similar to question 2, there is no way to bulk upload files to different claims. The Authority to File will need to be uploaded to each unique claim in the portal so that they are associated with the claim. You can send that information via message if you have already submitted the original claim, otherwise, you can upload that in the claim submission.

4. Is there a way to download a cvs or excel file of claims filed in a particular CLCU Batch #?

We are working to finalize this functionality for law firms and will provide further information when that function is available.

5. We received 5 filed claims from a co-counsel and asked DON to substitute us as lead counsel. These claims are not listed in our portal. Will they be added by DON?

We are not 100% complete with ingestion of our CLJA claims inventory. For that reason, you may not see all of your filed claims when you access the portal. We will communicate to all firms in our system when our ingestion is complete. At that time, we will work as quickly as possible to resolve discrepancies such as the one you identified here. We are working with our contractors on the functionality pertaining to co-counsel. You indicated you are the lead firm, which is helpful, because the lead firm may be the one with primary access to these files. Can you identify the 5 claims?

6. Will the claims we have asked to be withdrawn be added to the portal under the "Withdrawn" tab?

Yes. All claims in our inventory will be ingested. Immediately following ingestion, we will begin reconciling claims records with updates provided from filers by email (e.g., withdrawal or change of address).

7. We noted that the status on all of our filed claims is “Draft,” which DON has defined as, **Draft: Claimant or authorized representative has opened the claim form and begun populating the required fields. Claim has not been officially submitted for processing.** To be distinguished from **Submitted: Claimant or authorized representative has populated the required fields and filed the claim.** Regardless of the status of the claim, it is our understanding that our batch filings have been “filed” on the date we submitted their batch claim form csv + information (because the portal was not up until recently for submission of documents/substantiation); however, the DON language above suggests otherwise. Is DON taking the position that our claim forms are not “filed” unless we meet the requirements in the portal to change the status from “draft” to “submitted”?

Draft versus submitted is a portal distinction that ensures a claimant/authorized representative has validated the ingested claims. Your original filing date is the date of batch form filing. There is a field called "Pre-Portal Filing Date" that displays when viewing the details of a claim on the portal, so when someone is on that page, they will see that original filing date listed there (that's the batch form filing date). If you believe there is a discrepancy between your records and the pre-portal filing date, please reach out and we will work to reconcile.

8. If so, does the date change on when the claim is filed from when the status changes to “submitted” or does the date relate back to the original filing date? Please advise.

The date a claim was filed will be the operative date and is not impacted by submission of the claim in the portal. Every CLJA claim filed before the portal was launched will be treated as filed on the date the claim was submitted to the Department of the Navy.

9. We are looking for the bare minimum to change the status of the claim from “Draft” to “Submitted”. We have worked with the portal and want to confirm the accuracy of the below:
- i. For a deceased person:
 1. Upload Authority to File, Death Certificate, Letters Testamentary, and diagnosis date per injury
 2. Sign and certify as Attorney
 - ii. Living person:
 1. Upload Authority to File and Diagnosis date per injury
 2. Sign and certify as Attorney

Before the Camp Lejeune Claims Unit (CLCU) can adjudicate a claim, the filer must submit sufficient evidence to enable the Department of the Navy to investigate the factual basis for the claim. For any claim submission to be considered properly presented, the file must initially include, at a minimum, the following information **in writing: (1) Claimant's Name, (2) Injury, (3) Sum Certain, (4) Authority, and (5) Signature.**

- **NAME**

- If the injured party—*on their own behalf*—is filing the claim, the claimant must include their full name, current mailing address, and must sign the claim form. If the claimant files their claim electronically, the claims portal includes an area for an electronic signature.

- **INJURY**
 - Identify the harm that the injured party allegedly incurred as a result of presence on Camp Lejeune.
- **SUM CERTAIN**
 - Identify the amount of monetary damages sought in compensation for the alleged harm sustained by the injury party.
- **AUTHORITY**
 - If the claim will be *submitted by someone other than the injured party*, the claim must identify the:
 - Full name of the injured party; and,
 - Full name of the party filing on the injured party's behalf.
 - The filer must include a statement *explaining the legal basis* upon which the filer is entitled to make a claim for damages on behalf of the injured party.
 - If the claim will be *submitted by an agent or legal representative*, it must show:
 - The Title; and,
 - Legal capacity of the person signing.
 - Examples of those who may be eligible to file on behalf of an injured party include: those who have been appointed by a competent court to act on the injured party's behalf; an executor or administrator of an estate; or, any other person legally entitled to assert a claim in accordance with applicable state law (for instance, under a power of attorney).
- **SIGNATURE**
 - The signature of the claimant—and their agents, if applicable—are required.

10. Is there any time limitation on the need to substantiate exposure/injury in the portal, or may we upload those documents at a later date (potentially after a global settlement structure is reached by the parties)?

The above presentment items need to be completed before the statute of limitation expires, however, to substantiate the exposure/injury, you can provide those documents through the substantiation process with our claims adjudicators and attorneys.

11. Is it accurate that a claim cannot/will not be denied unless substantiation materials are submitted (exposure/diagnostic records)?

No.

12. If we choose to substantiate cases, will the DON be making settlement offers to claimants who DO NOT qualify for the EO? If so, what is the timeline for any such offers and is a new, more expansive settlement framework in the works? Have any DON non-EO settlements been made to date?

We will review all CLJA claims and extend settlement offers to all claimants that prove eligibility for settlement under the CLJA. The EO expedites our review process and therefore it is likely a significant number of EO settlement offers will be made before a non-EO settlement offer is extended. So far, the DON has not extended any non-EO settlement offers in part because we have not received a claim that contains all necessary substantiation to support a non-EO settlement.

13. What is the bare minimum of substantiation materials needed for an offer to be evaluated and made in the administrative setting? (exposure and diagnostic substantiation)?

The evidentiary standard for substantiating a qualifying injury and duration of exposure are set forth in Section I, Paragraph C of DOJ's public EO guidance.

14. If we have a client who wants to opt in to the EO, do you suggest we use the separate EO portal for that rather than upload documents to the new portal?

The new portal is the only CLJA claims portal. Please enter claims and upload documentation for all CLJA claims using this portal. Feel free to communicate the fact that you believe a specific claim is eligible for an EO offer using the messaging function in the CLJA Claims Portal.

15. What information is needed from a claimant to reach the status of **Denied: Claim does not meet the minimum requirements for settlement**?

Our current focus is on settling as many claims as fairly and efficiently as possible. As we encounter claimants who are either unable or unwilling to provide the documentation necessary to substantiate their claim or to show that their claim for relief falls within the scope of the CLJA, we will consider whether denial is appropriate for those claims.

R/
Danielle

Danielle P. Bianchi
Deputy Director, Headquarters Element
Camp Lejeune Claims Unit (CLCU)
Office of the Judge Advocate General (OJAG)
Department of the Navy
danielle.p.bianchi.civ@us.navy.mil
(202) 327-0355

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From: Whitney Wallace Williams <wwallace@wallacegraham.com>
Sent: Wednesday, April 10, 2024 3:24 PM
To: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Subject: [Non-DoD Source] RE: DON | Portal Question | CLJA

Okay, wonderful. Thanks so much, Danielle.

Whitney Wallace Williams, Esq. | Partner

704-633-5244 (P)

www.wallacegraham.com

From: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>

Sent: Wednesday, April 10, 2024 3:06 PM

To: Whitney Wallace Williams <wwallace@wallacegraham.com>

Subject: RE: DON | Portal Question | CLJA

Whitney,

I actually have been able to get answers to all your questions—just pending a review before I send it your way.

R/,

Danielle

Danielle P. Bianchi

Deputy Director, Headquarters Element

Camp Lejeune Claims Unit (CLCU)

Office of the Judge Advocate General (OJAG)

Department of the Navy

danielle.p.bianchi.civ@us.navy.mil

(202) 327-0355

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From: Whitney Wallace Williams <wwallace@wallacegraham.com>

Sent: Tuesday, April 9, 2024 2:30 PM

To: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>

Subject: [Non-DoD Source] RE: DON | Portal Question | CLJA

No problem. Thank you!

Whitney Wallace Williams, Esq. | Partner

704-633-5244 (P)

www.wallacegraham.com

From: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>

Sent: Tuesday, April 9, 2024 1:32 PM

To: Whitney Wallace Williams <wwallace@wallacegraham.com>

Subject: RE: DON | Portal Question | CLJA

Hi Whitney,

Thank you for touching based. I have been working these and am just waiting on a few more items, but I'll go back and see if I can parse out a few today. It may not be until later this evening.

R/
Danielle

Danielle P. Bianchi
Deputy Director, Headquarters Element
Camp Lejeune Claims Unit (CLCU)
Office of the Judge Advocate General (OJAG)
Department of the Navy
danielle.p.bianchi.civ@us.navy.mil
(202) 327-0355

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From: Whitney Wallace Williams <wwallace@wallacegraham.com>
Sent: Tuesday, April 9, 2024 1:14 PM
To: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Subject: [Non-DoD Source] RE: DON | Portal Question | CLJA

Hi Danielle,

Hope you're doing well this week. Following up on the below. Thank you! I will take any answers you have on a rolling basis, if that is easier for you.

Many thanks,

Whitney Wallace Williams, Esq. | Partner
704-633-5244 (P)
www.wallacegraham.com

From: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Sent: Wednesday, April 3, 2024 3:41 PM
To: Whitney Wallace Williams <wwallace@wallacegraham.com>
Subject: RE: DON | Portal Question | CLJA

Ms. Williams,

Thank you for the detailed list of good questions. Received.
I will get back to you once we have been able to validate the technical answers.

R/
Danielle

Danielle P. Bianchi
Deputy Director, Headquarters Element
Camp Lejeune Claims Unit (CLCU)
Office of the Judge Advocate General (OJAG)
Department of the Navy
danielle.p.bianchi.civ@us.navy.mil
(202) 327-0355

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From: Whitney Wallace Williams <wwallace@wallacegraham.com>
Sent: Wednesday, April 3, 2024 3:35 PM
To: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Subject: [Non-DoD Source] RE: DON | Portal Question | CLJA

Please see below questions. Thank you! We look forward to your responses.

1. Do medical records need to be certified and complete? Or just *diagnostic* records for each claimed disease/condition?
2. Can substantiation all be combined into one PDF and uploaded to an individual claim?
3. Can substantiation documents be bulk uploaded? For example, could we bulk upload all of our Authority to File authorizations? If so, by Claim ID, CLCU Batch # or Firm File #?
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suggests otherwise. Is DON taking the position that our claim forms are not “*filed*” unless we meet the requirements in the portal to change the status from “draft” to “submitted”?

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15. What information is needed from a claimant to reach the status of **Denied: Claim does not meet the minimum requirements for settlement?**

Whitney Wallace Williams, Esq. | Partner

704-633-5244 (P)

www.wallacegraham.com

From: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>

Sent: Tuesday, April 2, 2024 12:42 PM

To: Whitney Wallace Williams <wwallace@wallacegraham.com>

Subject: Re: DON | Portal Question | CLJA

Perfect thanks!

R/,
Danielle

Danielle P. Bianchi

Deputy Director, Headquarters Element
Camp Lejeune Claims Unit (CLCU)
Office of the Judge Advocate General (OJAG)
Department of the Navy
danielle.p.bianchi.civ@us.navy.mil
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From: Whitney Wallace Williams <wwallace@wallacegraham.com>
Sent: Tuesday, April 2, 2024 12:23 PM
To: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Subject: [Non-DoD Source] RE: DON | Portal Question | CLJA

Yes, let me try to get them in writing for you and we can have a call after to talk through maybe. Thanks!

Whitney Wallace Williams, Esq. | Partner
704-633-5244 (P)
www.wallacegraham.com

From: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Sent: Tuesday, April 2, 2024 11:45 AM
To: Whitney Wallace Williams <wwallace@wallacegraham.com>
Subject: Re: DON | Portal Question | CLJA

Ms. Wallace,

We have had some inquiries from firms that we just discussed today at our leadership meeting with the technical contractor.

I'm happy to discuss via phone, but it would be more useful if you could email back your inquiries so that I can pass them on to our contractor. They're not only updating the FAQs with common questions, but I can get you a technically correct answer faster that way. Does that work?

R/,
Danielle

Danielle P. Bianchi
Deputy Director, Headquarters Element

Camp Lejeune Claims Unit (CLCU)
Office of the Judge Advocate General (OJAG)
Department of the Navy
danielle.p.bianchi.civ@us.navy.mil
(202) 327-0355

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From: Whitney Wallace Williams <wwallace@wallacegraham.com>
Sent: Tuesday, April 2, 2024 11:38 AM
To: Bianchi, Danielle P CIV USN NAVY JAG WASH DC (USA) <danielle.p.bianchi.civ@us.navy.mil>
Subject: [Non-DoD Source] FW: DON | Portal Question | CLJA

Hi Danielle,

I received the below message from Randy's email. My firm is in CLJA leadership – 1 of the appointed Co-Leads (Mona Lisa Wallace) and I have been exclusively handling CLJA cases for over 2 years now. We serve as a resource/mentor to over 100 firms regarding administrative and other claim matters so we frequently get questions from firms across the country. My team and I have been reviewing the new claims portal and we have some questions about the portal system. Our questions are not answered in the FAQs or within the portal instructions, that we can find.

Do you have some time to discuss our questions please?

Thank you in advance,

Whitney Wallace Williams, Esq. | Partner
704-633-5244 (P)
www.wallacegraham.com

From: Russell, Randall Dennis (Randy) CIV USN NAVCIVLAWSUPPACT DC (USA) <randall.d.russell.civ@us.navy.mil>
Sent: Tuesday, April 2, 2024 11:26 AM
To: Whitney Wallace Williams <wwallace@wallacegraham.com>
Subject: Automatic reply: DON | Portal Question | CLJA

I am out of the office on an intermittent basis. I will be monitoring my email. If you need assistance with Camp Lejeune claims issues, please contact Ms. Danielle Bianchi at danielle.p.bianchi.civ@us.navy.mil.